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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HIGH SIERRA HIKERS ASSOCIATION,

Plaintiff,

V.

UNITED STATES DEPARTMENT OF THE
INTERIOR, et al.

Defendants

Case No. CV-09-4621-RS

JOINT STATUS REPORT AND
STIPULATION TO REVISE
BRIEFING SCHEDULE;
PROPOSED ORDER

JUDGE: HONORABLE
RICHARD SEEBORG

Courtroom: 3, 17th Floor

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2 The Plaintiff High Sierra Hikers Association and the Defendants, U.S. Department of the
3 Interior, et al., submit this joint status report and stipulation to advise the Court as to the status of
4 the ongoing settlement process with respect to the Plaintiff's Motion for Attorneys' Fees, Costs,
5 and Other Expenses. The settlement process is moving forward, and both parties believe that a
6 final settlement can be reached in the near future. As explained below, additional time is needed
7 to secure formal approval from federal officials in Washington, D.C.

8 WHEREAS, on October 26, 2012, the Plaintiff High Sierra Hikers Association filed a
9 Motion for Attorneys' Fees, Costs, and Other Expenses Pursuant to 28 U.S.C. § 2412,

10 WHEREAS, Plaintiff and Defendants United States of the Interior, et al., have been
11 engaged in settlement discussions with respect to the Plaintiff's motion and are optimistic that a
12 final settlement can be reached that would avoid the need for a hearing;

13 WHEREAS, the litigation counsel for both parties have reached agreement on the terms
14 and conditions of a settlement agreement;

15 WHEREAS, the Defendants require additional time to secure formal approval by senior
16 officials in the Department of the Interior and Department of Justice; and

17 WHEREAS, at Defendants' request, the Court previously continued the date for the
18 Defendants to file their opposition to the fee motion until January 10, 2013;

19 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed between the Parties that:

20 1. The date for the Defendants to file their opposition to Plaintiff's Motion shall be
21 continued by an additional 35 days, until **February 14, 2013**, to allow time for final review and
22 approval of the proposed settlement agreement negotiated by the parties.

23 2. The parties shall advise the Court of the status their settlement discussions in a joint
24 status report to be filed on or before **February 7, 2013**.

25 3. The hearing on Plaintiff's Motion is continued until a date to be set following the joint
26 status report on **February 7, 2013**. If settlement does not appear imminent at that time, the
27 parties will agree on a date for the Plaintiff's Reply and request a hearing on Plaintiff's Motion at
28 the next available date on the Court's calendar.

IT IS SO STIPULATED.

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3 In addition to stipulating to the above, I, Charles R. Shockey, attest that concurrence in the
4 filing of this Stipulation has been obtained from Barbara N. Barath, Attorney for Plaintiff.
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6

Dated: January 4, 2013

BARBARA N. BARATH
MORRISON & FOERSTER LLP

7 By: /s/ Barbara Barath [as authorized]
Barbara Barath, Attorney for Plaintiff

8 Dated: January 4, 2013

CHARLES R. SHOCKEY
U.S. DEPARTMENT OF JUSTICE

10 By: /s/ Charles R. Shockey
Charles R. Shockey, Attorney for Defendants

11 [PROPOSED] ORDER

13 PURSUANT TO STIPULATION, IT IS
14 SO ORDERED.

15 Dated: 1/4/13

16 BY: 
HONORABLE RICHARD SEEBORG
U.S. DISTRICT COURT JUDGE